

JS 44 (Rev. 12/12)

CIVIL COVER SHEETCounty in which action arose Jackson

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Kim Willard

(b) County of Residence of First Listed Plaintiff Jackson
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
BoylanLaw, P.C. by Karie H. Boylan (P55468)
410 W. University, Suite 201
Rochester, MI 48307 855.926.9526

DEFENDANTS

Jackson County, et al

County of Residence of First Listed Defendant Jackson
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input checked="" type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. Sec. 12101, et. seq

Brief description of cause:

Violation of the Americans With Disabilities Civil Rights Act

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
\$500,000.00

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE 6-9-16 SIGNATURE OF ATTORNEY OF RECORD **FOR OFFICE USE ONLY**

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

☐ Yes

☒ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☐ Yes

☒ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

Notes :

1 **UNITED STATES DISTRICT COURT**
2 **FOR THE EASTERN DISTRICT OF MICHIGAN**

3
4 **KIM WILLARD**

5 Plaintiff

Hon.

Case No.

6
7 v.

8 **JACKSON COUNTY**, a municipal corporation,
9 **RYAN STEVENSON**, Individual and official capacity,
10 **GARY MCKESSY**, Individual and official capacity,
11 **STEVEN P. RAND**, Individual and official capacity,
12 **ROBERG VOGT**, Individual and official capacity,
13 **MIKE COBURN**, Individual and official capacity,
14 **DEPUTY FRENCH**, Individual and official capacity,
15 **DEPUTY HUTTENLOCKER**, Individual and official capacity,
16 **DEPUTY C. ALLEN**, Individual and official capacity,
17 **DEPUTY KAKOWSKI**, Individual and official capacity,
18 **JOHN/JANE DOES #1-10**, Individual and official capacities,

19 Defendants

20
21 **BOYLANLAW, P.C.**

Karie H. Boylan (P55468)

Attorney for Plaintiff

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Rochester, Michigan 48307

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22
23
24
25 **PLAINTIFF'S COMPLAINT AND JURY DEMAND**
26
27
28

1 In support of his Complaint, Defendant states:

2 **JURISDICTION & VENUE**

3
4 1. Jurisdiction is based upon 28 U.S.C. § 1331 and 1343(a)(3).

5 2. Venue is proper in this district pursuant to 28 U.S.C. § 1391, as the
6 events giving rise to the claim arose in Jackson County, Michigan.
7

8 **PARTIES**

9 3. Plaintiff, Kim Willard, is a resident of Lansing, Michigan. He is an
10 individual with a disability within the meaning of both the Americans with
11 Disabilities Act (hereinafter “ADA”) and the Rehabilitation Act of 1973 (hereinafter
12 “Rehabilitation Act”) because he has physical impairments (epileptic and right lower
13 extremity amputee) that substantially limit one or more of his major life activities.
14
15

16 4. Defendant Jackson County is a Michigan municipal corporation.

17 5. Defendant Rand is the Jackson County Sheriff. Defendants Vogt and
18 Coburn and Jackson County Jail Administrators. These three individuals are the
19 decision makers for the Jail, including but not limited to training, supervision, policy
20 making, jail construction & modifications, ADA and Rehabilitation Act compliance.
21
22

23 6. The remaining Defendants are Jackson County employees assigned to
24 work in the County Jail sometime between July 19, 2015 through October 26, 2015.
25

26 7. From July 19, 2015, through October 26, 2015, Plaintiff was an inmate
27 in the Jackson County Jail.
28

1 8. When Plaintiff arrived, Deputies removed his prosthesis, refused to
2 give it back to him, and refused to provide him with any other form of mobility
3 device. Plaintiff was forced to hop on one leg everywhere he went inside the Jail.
4

5 9. Not wearing his prosthesis while in the Jackson County Jail caused
6 Plaintiff's stump to change its shape, which compelled him to purchase a new
7 prosthesis which is expensive and painful to break in.
8

9 10. Defendants, including John/Jane Does #1 through #10, are Jackson
10 County employees responsible for the decision(s) to: (a) not allow Plaintiff to wear
11 his prosthesis in Jail, (b) not provide Plaintiff with a mobility device, (c) not provide
12 Plaintiff access to a shower/toilet, (d) insist that he ambulate by hopping on one leg.
13
14

15 11. Every time Plaintiff wanted to take a shower, he had to hop on one leg
16 to get in and out. Notably, Plaintiff had to hop over a 1'+ tall, floor mounted water
17 barrier every time. There were no grab bars, hand rails or any other form of
18 handicap assistance device to help him clear the barrier.
19

20 12. Plaintiff objected to having to hop over the barrier. Defendants' told
21 him: "Fine, if you don't want to hop, then don't take a shower".
22

23 13. On October 20, 2015, Plaintiff tried to hop into the shower, the barrier
24 caught his foot, and he fell onto the concrete floor suffering serious injury and
25 excruciating pain. This is a photo of Plaintiff after he fell with his only leg still
26 resting on the barrier:
27
28



14. Plaintiff was transported to the Allegiance hospital by ambulance and admitted for emergency medical treatment.

15. On October 14, 2015, Deputy McKessy, a Field Training Officer, was “shadowing” Deputy Stevenson. These were transport Deputies, responsible for escorting inmates to and from Jackson County Circuit Court.

16. Every other time Plaintiff went to and from Court, Deputies pushed him in a wheelchair outside of the Jail, down a sidewalk, to the Courthouse next door where he could enter and leave the courthouse via the wheelchair ramp.

17. On October 14, 2015, Plaintiff was with other inmates waiting for Court. Plaintiff asked Deputies whether he could talk to his attorney somewhere in private so that others could not hear the privileged attorney-client communications. Deputies refused, became angry and radioed to Stevenson and McKessy that they had to come get Plaintiff because he was being “a problem”. They were angry.

1 18. On their way back to the Jail, Deputy Stevenson pushed Plaintiff in the
2 wheelchair. Rather than use the handicap ramp, he headed towards the tunnel stairs.
3

4 19. Deputy McKessy went ahead of Deputy Stevenson and Plaintiff.

5 20. Once Deputy Stevenson reached the tunnel stairs, he stopped and told
6 Plaintiff to get out of the wheelchair and hop down the stairs. At that time,
7 Plaintiff's hands were still chained to his belly cuffs at that time.
8

9 21. Plaintiff refused to hop down the stairs.

10 22. In response to Plaintiff's refusal, Deputy McKessy turned on his body
11 camera, pointed it at Plaintiff and said: "Inmate HOP down those stairs! That's an
12 Order!" Plaintiff hopped onto the first step then fell down the remaining three.
13 Plaintiff landed hard on the concrete floor, hitting his head, suffering serious injury
14 and excruciating pain. This is a photograph of Plaintiff after he fell:
15
16
17



1 23. Plaintiff was transported to the Allegiance hospital by ambulance and
2 admitted for emergency medical treatment.
3

4 24. Plaintiff fell other times while being forced to “hop” around the Jail,
5 including when he suffered seizures (of which Defendants knew he was prone).
6

7 **Count I: Violation of the Americans with Disabilities Act of 1990**

8 25. Plaintiff incorporates the preceding paragraphs by reference

9 26. Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. §
10 12101, et seq., expressly prohibits, among other things, discrimination against a
11 person with a disability, solely on the basis of the disability, in the full and equal
12 enjoyment of the services programs, and activities of a public entity.
13
14

15 27. Defendants operate the Jackson County Jail, which qualifies as a public
16 entity” under the definition set forth in 42 U.S.C. § 12131(1)(B) because it is a
17 “department, agency, special purpose district, or instrumentality” of a local
18 government, i.e., Jackson County, Michigan.
19

20 28. Defendants’ failure to provide a seizure prone lower extremity amputee
21 with an adequate mobility device while in Jail, access to showers and bathrooms,
22 wall mounted grab bars, a raised toilet seat and other handicap devices constitute a
23 violation of Title II of the ADA because those failures denied Plaintiff the use and
24 enjoyment of a services of a public entity.
25
26
27
28

1 29. Defendants' failure to provide reasonable accommodations for a
2 seizure prone lower extremity amputee constitutes a violation of Title II of the ADA
3 because it denied Plaintiff the use and enjoyment of a service of a public entity.
4

5 30. Defendant Stevenson's ordering Plaintiff to hop down a flight of stairs
6 while belly cuffed constitutes a violation of Title II of the ADA.
7

8 31. Defendants' ADA violations proximately caused Plaintiff to suffer
9 personal injury, pain, suffering, humiliation, embarrassment, emotional distress; and,
10 to incur medical and other expenses, costs, interest and attorney fees.
11

12 **Count II: Violation of the Rehabilitation Act of 1973**

13 32. Plaintiff incorporates the preceding paragraphs by reference.
14

15 33. Section 504 of the Rehabilitation Act of 1983, 29 U.S.C. 794,
16 provides that no otherwise qualified individual with a disability may be excluded
17 from the participation in, be denied the benefits of, or be subjected to
18 discrimination under any program or activity receiving federal financial assistance,
19 solely on the basis of the individual's disability.
20

21 34. Defendants operate the Jackson County Jail, which qualifies as a
22 "program or activity" under the definition set forth in 29 U.S.C. § 794(b)(1)(A)
23 because it is a "department, agency, special purpose district, or instrumentality" of a
24 local government, i.e., Jackson County, that receives federal financial assistance.
25
26
27
28

1 35. Defendants' failure to provide an adequate mobility device while in Jail,
2 access to showers and bathrooms, wall mounted grab bars, a raised toilet seat and
3 other handicap devices constitutes violations of the Rehabilitation Act because those
4 failures denied Plaintiff the use and enjoyment of the facility.
5

6 36. Defendants' failure to provide reasonable accommodations to Plaintiff
7 constitutes a violation of the Rehabilitation Act because it denied Plaintiff the use
8 and enjoyment of a service of a public entity.
9

10 37. Defendant Stevenson's ordering Plaintiff to hop down a flight of stairs
11 while belly cuffed constitutes a violation of the Rehabilitation Act.
12

13 38. Defendants' violations of the Rehabilitation Act, proximately caused
14 Plaintiff to suffer personal injury, pain, suffering, humiliation, embarrassment,
15 emotional distress; incur medical and other expenses, costs, interest, attorney fees.
16

17 **Count III – 42 U.S.C. § 1983**
18

19 39. Plaintiff incorporates the preceding paragraphs by reference.
20

21 40. All Defendants were acting under color of law at all relevant times.
22

23 41. Deputies French, Huttenlocker, C. Allen and Kakowski were involved
24 in Plaintiff's October 20, 2015, fall in the shower.
25

26 42. Defendants had actual knowledge of the risk of harm Plaintiff faced
27 hopping into and out of the shower on one leg, with no handrails, grab bars or other
28 handicap assistance devices.

1 43. Defendants' insistence that Plaintiff repeatedly expose himself to a risk
2 of harm they created and which eventually caused him to fall multiple times,
3 constitutes cruel and unusual punishment under the 8th and/or 14th Amendment.
4

5 44. Deputies Stevenson, McKessy, Watson and Kakowski were involved in
6 Plaintiff's October 14, 2015, fall down the stairs.
7

8 45. Deputy McKessy's failure to properly supervise Deputy Stevenson, and
9 his ordering Plaintiff to hop on one leg down a flight of stairs while belly cuffed
10 constitutes cruel and unusual punishment under the 8th and/or 14th Amendment.
11

12 46. Defendant McKessy was angry with Plaintiff for "being a problem".
13 He intended to injure Plaintiff by ordering him to hop down the stairs while belly
14 cuffed. After the fact, Defendant McKessy destroyed/erased audio and video tape
15 the memorialized him ordering Plaintiff to hop down the stairs, and of Plaintiff
16 falling down the stairs, in an effort to avoid being held liable.
17
18

19 47. Jail officials responsible for the decisions to (a) remove Plaintiff's
20 prosthesis and not replace it with an adequate mobility device (especially knowing he
21 was prone to seizures), (b) house Plaintiff in a cell that was not handicap assessable,
22 (c) not provide Plaintiff with access to a shower or toilet, (d) force Plaintiff to hop
23 over a barrier to get in and out of the shower, (e) force Plaintiff to hop down a flight
24 of stairs with hands chained to his waist are not entitled to qualified immunity.
25
26
27
28

1 48. Defendants Rand, Vogt and Coburn's failure to implement policies and
2 procedures in the Jackson County Jail that would allow for safe mobility for lower
3 extremity amputees in the Jail, insistence that prosthesis be taken away from
4 amputees and not returned, failure to remove barriers or install handrails on Jail
5 walls, failure to provide amputees with reasonable handicap access to showers and
6 toilets, forcing amputees to ambulate by hopping around inside the Jail on one leg
7 are moving forces behind the violations of the 8th and 14th Amendments to the
8 United States Constitution.
9

10
11
12 49. Defendants' violations of the 8th and 14th Amendments proximately
13 caused Plaintiff to suffer damages.
14

15 50. Providing Plaintiff with access to the shower that he did not have to
16 hop in and out of, over a 1'+ tall barrier on one leg, on wet concrete, with no
17 handrails, grab bars or anything else to hold while hopping, is not a discretionary
18 function of a Jackson County employee assigned to work in the Jail.
19

20 51. If forcing Plaintiff to hop over a 1'+ barrier, on one leg, on wet
21 concrete, with no handrails, grab bars, or anything else to hold while hopping, is a
22 discretionary function, the decision to compel Plaintiff to do so on a daily basis,
23 violates clearly established statutory or constitutional rights of which a reasonable
24 person would have known.
25
26
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28

1 52. Ordering a right lower extremity amputee to hop on one leg down a
2 flight of stairs while his hands are chained to his stomach is not a discretionary
3 function of a Jackson County employee assigned to work in the Jail.
4

5 53. If forcing a right lower extremity amputee to hop on one leg down a
6 flight of stairs while his hands are chained to his stomach is a discretionary function,
7 the decision to order Plaintiff to do so violated clearly established statutory or
8 constitutional rights of which a reasonable person would have known.
9

10 54. Defendants' constitutional deprivations proximately caused Plaintiff to
11 suffer personal injury, pain, suffering, humiliation, embarrassment, emotional
12 distress; incur medical and other expenses, costs, interest, attorney fees.
13

14
15 **Requested Relief**

16 Wherefore, Plaintiff requests that this Honorable Court:

17 1. Enter declaratory judgment that Defendants violated the ADA
18 and Rehabilitation Act;

19 2. Enter an injunction ordering Defendants (a) to cease violating the
20 ADA and Rehabilitation Act and (b) to bring its facilities into full
21 compliance with the ADA and the Rehabilitation Act;

22 3. Award compensatory and punitive damages in excess of
23 \$500,000.00, plus interest;

24 4. Award Plaintiff costs, interest and attorney fees;

25 5. Enjoin Defendants from housing Plaintiff unless and until the Jail
26 is brought into compliance with the ADA and Rehabilitation Act; and
27

28 6. Grant such other and further relief as the Court deems just.

Respectfully submitted,

/s/ Karie H. Boylan

BOYLANLAW, P.C.

Karie H. Boylan (P55468)

Attorney for Plaintiff

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Rochester, Michigan 48307

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E-Mail: karie@boylanlaw.net

Dated: June 9, 2016

1 **UNITED STATES DISTRICT COURT**
2 **FOR THE EASTERN DISTRICT OF MICHIGAN**

3 **KIM WILLARD**

4 Plaintiff

5 Hon.
6 Case No.

7 v.

8 **JACKSON COUNTY**, a municipal corporation,
9 **RYAN STEVENSON**, Individual and official capacity,
10 **GARY MCKESSY**, Individual and official capacity,
11 **STEVEN P. RAND**, Individual and official capacity,
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16 **DEPUTY C. ALLEN**, Individual and official capacity,
17 **DEPUTY KAKOWSKI**, Individual and official capacity,
18 **JOHN/JANE DOES #1-10**, Individual and official capacities,

19 Defendants

20 **PLAINTIFF'S JURY DEMAND**

21 Plaintiff requests a trial by jury.

22 Respectfully submitted,

23 /s/ Karie H. Boylan
24 BOYLANLAW, P.C.
25 Karie H. Boylan (P55468)
26 Attorney for Plaintiff
27 410 W. University, Suite 201
28 Rochester, Michigan 48307
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Dated: June 9, 2016